

6980. Adulteration of peanut butter. U. S. v. 20 Cases and 88 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. Nos. 13322, 13603. Sample Nos. 63724-F, 79805-F.)

LIBELS FILED: August 8 and September 5, 1944, District of Columbia and Western District of North Carolina.

ALLEGED SHIPMENT: On or about July 2 and 13, 1944, by Southgate Foods, from Norfolk, Va.

PRODUCT: 20 cases, each containing 24 1-pound jars, of peanut butter at Washington, D. C., and 88 cases, each containing 24 1-pound jars, at Shelby, N. C.

LABEL, IN PART: (Jars) "Lynnhaven Brand Peanut Butter."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of dirt.

DISPOSITION: September 5 and October 14, 1944. No claimants having appeared, judgment of condemnation was entered and the product was ordered destroyed.

SPICES, FLAVORS, AND SEASONING MATERIALS

6981. Adulteration of chili peppers. U. S. v. 16 Straw Containers of Chili Peppers. Consent decree of condemnation. Product ordered released under bond or upon deposit of cash collateral. (F. D. C. No. 13218. Sample No. 39573-F.)

LIBEL FILED: August 11, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about March 14, 1944, by the Banco Mercantile Co., from Laredo, Tex.

PRODUCT: 16 straw containers, each containing about 400 pounds, of chili peppers, at Los Angeles, Calif.

Examination disclosed the presence of moldy peppers and larvae, pupae, and insect excreta in the product.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed and filthy substance.

DISPOSITION: September 11, 1944. The XLNT Spanish Food Co., Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and product was ordered released upon the execution of a bond or the deposit of cash collateral, conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

6982. Adulteration of chili peppers. U. S. v. 127 Bags of Chili Peppers. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13481. Sample No. 74052-F.)

LIBEL FILED: September 5, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about December 10, 1943, from Mexico.

PRODUCT: 127 bags, each containing approximately 135 pounds, of chili peppers at Vernon, Calif., in the possession of the Federal Ice & Cold Storage Co.

The product was stored under insanitary conditions after shipment. It was rodent-gnawed through open ends of the bags, and rodent pellets and urine stains were observed on the bags. Examination showed that the article was rodent-gnawed and contained rodent hair fragments.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 25, 1944. The Walkers Austex Chili Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, to be brought into compliance with the law under the supervision of the Federal Security Agency. The unfit portion was segregated and denatured for use as poultry feed.

6983. Adulteration of chili pods. U. S. v. 10 Cartons of Chili Pods. Default decree of condemnation and destruction. (F. D. C. No. 13058. Sample No. 69727-F.)

LIBEL FILED: July 28, 1944, Northern District of Texas.

ALLEGED SHIPMENT: On or about February 27, 1944, by the G. B. Gentry Co., Los Angeles, Calif.

PRODUCT: 10 cartons, each containing 25 pounds, of chili pods at Amarillo, Tex.

This product contained moths, larvae, webbing, insect excreta, and moldy peppers.

LABEL, IN PART: (Cartons) "Gentry's Fancy Mexican Chili Pods."

VIOLATION CHARGED: Adulteration, Section 402 (a)(3), the product consisted in whole or in part of a filthy and decomposed substance.

DISPOSITION: October 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6984. Adulteration of coriander seed. U. S. v. 4 Bags of Coriander Seed. Decree of condemnation and destruction. (F. D. C. No. 13106. Sample No. 69186-F.)

LABEL FILED: August 2, 1944. District of Colorado.

ALLEGED SHIPMENT: On or about April 22, 1943, by the Thomson & Taylor Division, the Warfield Co., from Chicago, Ill.

PRODUCT: 4 100-pound bags of coriander seed, at Brighton, Colo.

LABEL, IN PART: "Whole Bleached Coriander Seed."

VIOLATION CHARGED: Adulteration, Section 402 (a)(3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, beetle fragments, and insect-eaten seeds.

DISPOSITION: August 15, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6985. Adulteration and misbranding of garlic flavoring. U. S. v. 1 Drum of Garlic Flavoring. Default decree of condemnation and destruction. (F. D. C. No. 11913. Sample No. 62409-F.)

LABEL FILED: February 26, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about December 3, 1943, by Basic Food Materials, Inc., from Cleveland, Ohio.

PRODUCT: 1 drum, containing 25 pounds, of garlic flavoring at St. Louis, Mo.

LABEL, IN PART: "Basic Food Materials BFM Soluble Garlic Flavoring."

VIOLATIONS CHARGED: Adulteration, Section 402 (b)(2), a substance containing asafetida had been substituted in whole or in part for soluble garlic flavoring.

Misbranding, Section 403 (a), the label statement, "Soluble Garlic Flavoring Ingredients containing in a refined carrier of salt (sodium chloride), the natural flavoring substances, essential oils and extractives of the following: True Distilled Oil of Garlic 1 oz. of this material is approximately the equivalent of 10 ozs. of fresh garlic," was false and misleading as applied to an article containing asafetida.

DISPOSITION: April 19, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6986. Adulteration of mustard bran. U. S. v. 65 Bags of Mustard Bran. Default decree of condemnation and destruction. (F. D. C. No. 12075. Sample No. 72674-F.)

LABEL FILED: March 23, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 16, 1941, by the McCormick Sales Co., from Baltimore, Md.

PRODUCT: 65 bags, each containing approximately 72 pounds, of mustard bran at St. Louis, Mo.

VIOLATION CHARGED: Adulteration, Section 402 (a)(3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, cast skins, and insect fragments.

DISPOSITION: May 27, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6987. Adulteration of mixed pickling spice. U. S. v. 8 Bags of Mixed Pickling Spice. Default decree of condemnation and destruction. (F. D. C. No. 13651. Sample No. 71340-F.)

LABEL FILED: September 16, 1944, District of Oregon.

ALLEGED SHIPMENT: On or about July 22, 1944, by the Crescent Manufacturing Co., from Seattle, Wash.

PRODUCT: 8 100-pound bags of mixed pickling spice, at Portland, Oreg.